THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :20801 2007

DATED:04-10-2007

BETWEEN:

Garlanka Bhaskara Rao.

..... PETITIONER

AND

The Tahsildar,
Gajuwaka (PO) & Mandal,
Visakhapatnam District & 2 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioners seek a writ of mandamus declaring the proceedings of the 1st respondent in Rc.No.116/2007/SA, dated 18-09-2007, as illegal and arbitrary.

3. It is the case of the petitioner that he has purchased the lands of an extent of Ac.10.00 under various sale deeds in 2005 from one Karri Vijayalaxmi and Karri Chandramathi. While so, a notice under Rule 3 of the A.P.Assigned Lands (Prohibition of Transfers) Rules, 2007 has been issued on the ground that the said lands are assigned in favour of the said Vijayalaxmi and Chandramathi and the same have been transferred in contravention of sub-Section 2 of Section 3 of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for brevity, 'the Act') and for the said notice, dated 30-08-2007, petitioner submitted an explanation on 05-09-2007 and thereafter final orders have been passed by the 1st respondent-Tahsildar, Gajuwaka in Rc.No.116/2007/SA, dated 18-09-2007, resuming the said lands in exercise of the powers conferred under Section 4A of the said Act. It is stated that against the said orders of the 1st respondent petitioner filed an appeal before the 2nd respondent-

Revenue Divisional Officer, Visakhapatnam on 20-09-2007 and the same is pending. It is stated that pending disposal of the appeal a request was also made not to dispossess the petitioner.

4. Having regard to the facts and circumstances of the case, 2nd respondent is directed to consider and dispose of the said appeal filed on 20-09-2007 against the orders of the 1st respondent in Rc.No.116/07/SA, dated 18-09-2007, and dispose of the same as expeditiously as possible without any undue delay and pending disposal of the appeal *status quo* obtaining as on today with regard to possession shall be maintained.

5. Accordingly, Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

04th October, 2007.
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